

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

KALA UNDERWOOD,

Plaintiff,

:

Case No. 3:09-cv-083

-vs-

District Judge Thomas M. Rose

Magistrate Judge Michael R. Merz

:

MONTGOMERY COUNTY, OHIO, et al.,

Defendants.

ORDER TO THE CLERK

The Court has reviewed the Amended Complaint in this action as required by 28 U.S.C. § 1915. For the reasons set forth in the Magistrate Judge's prior Report and Recommendations (Doc. No. 3), it appears that, at least on a prima facie basis, the Amended Complaint sets forth some claims for relief against some Defendants. Since all Defendants here are likely to be represented by the same counsel, judicial economy will be served by allowing process to issue and counsel to answer the Amended Complaint.

Accordingly, it is hereby ORDERED that, if Plaintiff presents the appropriate forms to the Clerk (Summonses and Marshal 285 forms), the Clerk shall issue process in this case and the United States Marshal shall serve it.

Plaintiff is reminded that process must be completed within 120 days of the initial filing, to wit, by June 27, 2009. Failure to make service by that date will result in dismissal of the case for failure to prosecute.

April 29, 2009.

s/ **Michael R. Merz**

United States Magistrate Judge